

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

APOTEX, INC.,

Plaintiff,

v.

CEPHALON, INC., et al.,

Defendants.

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CIVIL ACTION

No. 2:06-cv-2768

FINAL PRE-TRIAL ORDER FOR PATENT INFRINGEMENT TRIAL

AND NOW, this 31st day of May, 2011, it is **ORDERED** that:

1. On or before June 10, 2011, counsel shall file all *Daubert* motions. On or before June 24, 2011, counsel shall file all responses to *Daubert* motions.
2. On or before June 24, 2011, counsel shall file their pre-trial memoranda, prepared in conformance with Local Rule of Civil Procedure 16.1(c). This memoranda shall also include the following information:
 - (a) The identity of each fact witness, liability and damages, to be called at trial with a brief summary, not to exceed one paragraph, outlining the expected testimony.
Witnesses not listed may not be called by that party; and
 - (b) The identity of each expert witness to be called at trial with a brief summary, not to exceed one paragraph, outlining the expert's opinion testimony.
3. The final pre-trial conference is scheduled for June 30, 2011, at 10:00 a.m. in Chambers.
4. On or before June 22, 2011, counsel shall file all motions *in limine*. On or before July 6, 2011, counsel shall file all responses to motions *in limine*.
5. On or before July 1, 2011, counsel for each party shall serve upon counsel for every other party: (a) a copy of each exhibit the party expects to offer at trial, together with an index of

all trial exhibits; and (b) proposed stipulations. On or before July 8, 2011, counsel shall notify each other of any objections to the proposed exhibits setting forth the basis for such objections.

6. On or before July 1, 2011, counsel shall designate any and all videotaped trial testimony and deposition testimony to be offered at trial. On or before July 8, 2011, counsel shall notify each other of any objections to such videotaped trial testimony and/or deposition testimony.
7. On or before July 11, 2011, counsel shall supply the Court with two copies of tabbed exhibit binders and exhibit indices. Additional binders shall also be prepared for the Deputy Clerk and for use with witnesses at trial.
8. The trial is scheduled for July 12, 2011, at 9:00 a.m., in a Courtroom to be assigned. Counsel and all parties shall be prepared to commence trial on that date. All counsel are attached for trial.

BY THE COURT:

/s/ Mitchell S. Goldberg

Mitchell S. Goldberg, J.